



# CALIFORNIA STATE PUBLIC WORKS BOARD

ARNOLD SCHWARZENEGGER, GOVERNOR

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## STATE PUBLIC WORKS BOARD

June 18, 2004

### MINUTES

#### **PRESENT:**

Mr. Bob Campbell, Chief Counsel, Department of Finance  
Mr. Randell Iwasaki, Acting Chief Deputy, Department of Transportation  
Mr. Barry Hemphill, Deputy Director, Telecommunications Division,  
Department of General Services

#### **ABSENT:**

State Controller's Office  
State Treasurer's Office

#### **ADVISORY MEMBER:**

Director, Employment Development Department

#### **LEGISLATIVE ADVISORS:**

Assembly Member Darrell Steinberg  
Assembly Member Wilma Chan  
Assembly Member Fabian Nunez  
Senator Betty Karnette  
Senator Wesley Chesbro  
Senator Gilbert Cedillo

#### **STAFF PRESENT:**

Karen Finn, Administrative Secretary, State Public Works Board  
Tamara Moss, Executive Secretary, State Public Works Board  
Rocel Bettencourt, Principal Program Budget Analyst, Department of Finance  
Theresa Gunn, Principal Program Budget Analyst, Department of Finance  
Brian Dewey, Budget Analyst, Department of Finance  
Randy Katz, Budget Analyst, Department of Finance  
Debbie Dills, Budget Analyst, Department of Finance

#### **SPEAKERS PRESENT**

Michael Baksh, San Diego Archaeological Center  
Anthony Madrigal, Native American Land Conservancy

#### **OTHERS PRESENT:**

David Wrightsman, Department of Parks and Recreation  
Peter Colby, Save-The-Redwoods-League  
Rick Stolz, Department of Parks and Recreation  
Darlene Maston, California Department of Corrections  
Cynthia Spita, Department of Parks and Recreation  
Patrick Rogers, Department of Parks and Recreation  
Barbara Tanaka, State Treasurer's Office  
Etsuko Stone, State Treasurer's Office  
Rob Kane, Department of Parks and Recreation

Michael Salyer, Department of General Services  
Time Shelley, Senator Betty Karnette's Office  
Dale Clevenger, California Community Colleges  
Courtney Coyle, Esq., San Diego Archaeological Center

**CALL TO ORDER AND ROLL CALL:**

Mr. Campbell, Chairperson, Chief Counsel, Department of Finance at 10:01 am called the meeting to order. Ms. Finn, Administrative Secretary for the State Public Works Board called the roll. A quorum was established.

**APPROVAL OF MINUTES**

Ms. Finn reported that staff has reviewed the minutes from the May 14, 2004 regular meeting and believe them to accurately represent the actions of the Board and recommended approval.

**Hearing no objections, the minutes from the May 14, 2004 regular meeting were unanimously approved.**

**BOND ISSUES:**

Ms. Finn stated that there were no bond items.

Mr. Campbell stated that prior to reviewing the consent calendar, the floor would be opened to Senator Dede Alpert to address one of the action items before the Board.

Ms. Finn stated that Senator Alpert would be addressing Action Item #24, which is an acquisition for the Department of Parks and Recreation at the San Pasquel Battlefield State Historic Park.

Ms. Finn stated that when the DPR brought this acquisition to the Board, they had indicated that 3 positions and over \$300,000 would be needed in the future to operate and maintain the property. Subsequent to that action, the chair of the Public Works Board directed that the Board not consider additional acquisitions that would result in increased operating costs given that the State would still be in fiscally challenging times. Since then, the DPR has been able to make arrangements with local interest groups.

Senator Dede Alpert stated that she is in strong support of this acquisition and that she was involved in the original attempt to acquire the property because it seem like a good opportunity for the State. She stated that the San Pasquel Battlefield is a small piece of State Parks in northern San Diego County, but a very valuable historical asset.

Senator Alpert expressed that the State has been very fortunate, because there is a group in San Diego (San Diego Archaeological Society) that has agreed to manage the property. She stated that acquiring this property would be a benefit to the State as well as to the local community. The Society is willing to help in cataloging many of the archaeological treasures that the State has that literally sit in boxes on shelves that have never been cataloged or properly stored.

She further stated that by acquiring the property and working with the San Diego Archaeological Society, would not only help the San Diego region but potentially be a great asset to the State as a whole.

Mr. Campbell and Ms. Finn thanked the Senator for taking time out of her busy schedule to come and address the Board.

Dr. Michael Baksh, Vice President, San Diego Archaeological Center stated that he was in support of the State acquiring the San Pasquel property.

(Hearing no further testimony, Mr. Campbell asked for a motion on Action Item #24)

**A motion was made by Mr. Iwasaki and Second by Mr. Hemphill to approve Action Item #24.**

**Action Item #24 was approved by a 3-0 vote.**

#### **CONSENT CALENDAR:**

Ms. Finn stated in summary, the consent calendar covers Items #2 through #19 and proposes: six requests to approve preliminary plans, three requests to recognize a scope change, one request to authorize an acquisition, three requests to approve an augmentation, one request to recognize anticipated deficit, one request to approve a contract award, one request to approve reversion of State funds, one request to recognize local cost increase, one request to approve increased cost within appropriation, one request to approve augmentation in the working drawings phase, four requests to authorize the acquisition of real property through the acceptance of a gift and two requests to approve a new line item within the agency retained cost category.

There were five 20-day letters; Item #8, **Department of Forestry and Fire Protection**, Ahwahnee Forest Fire Station, Madera County, Facility Replacement, Augmentation. A 20-day letter was sent to the Legislature on May 21, 2004 without comment. Item #10, **California Department of Corrections**, California State Prison-Kern County at Delano II, Scope Change and Augmentation. A 20-day letter was sent to the Legislature on May 19, 2004 without comment. Item #13, **Department of the Youth Authority**, Northern California Youth Correctional Center, San Joaquin County, Correctional Treatment Facility, Stockton, Augmentation. A 20-day letter was sent to the Legislature on May 27, 2004 without comment. Item #18, **California Community Colleges**, San Mateo County Community College District, Skyline College, Seismic Retrofit Buildings 7 and 8, Scope Change. A 20-day letter was sent to the Legislature on May 21, 2004 without comment. Item #19, **California Community Colleges**, San Bernardino Community College District, Valley College, Auditorium Building-Seismic Retrofit, Scope Change. A 20-day letter was sent to the Legislature on May 21, 2004 without comment.

Staff recommends approval of the Consent Calendar Items #2 through #19.

**A motion was made by Mr. Hemphill and Second by Mr. Iwasaki to adopt the Consent Calendar and to approve Items #2 through #19.**

**The consent calendar was adopted by a 3-0 vote.**

#### **ACTION ITEMS:**

Ms. Finn stated that there were five Action Items remaining. However, we are pulling Action Item #23, Department of Parks and Recreation, Montana De Oro State Park as there are some issues that need resolution prior to completion of the acquisition.

The first four items are for the Department of Parks and Recreation and are action items as the information being presented to the board either differs from what was presented when the items were presented for site selection or in one case, the acquisition is being proposed with some terms that are not consistent with the state's regular purchase agreements.

The first is Item #20, Department of General Services, Department of Parks and Recreation Anza-Borrego Desert State Park, Horse Canyon in Riverside County. This is a 1,300 acre addition to the park. When the dept had proposed this acquisition at the site selection phase it had indicated that it would need 2 positions and \$253,000 and another \$103,000 in one-time costs to expand public access and resource protection and maintenance for this parcel. As mentioned previously, subsequent to that action this past spring, the chair of the PWB directed that the board not consider additional acquisitions that would result in increased operating costs given that the state was still in fiscally challenging times. We have a representative from the department to present its plans for the parcel and why there will not be any need for any future operating costs.

Mr. David Wrightsman, Department of Parks and Recreation, stated that Horse Canyon is valuable in-holding of approximately 1,200-acres as an addition to the Anza-Borrego State Park. At the time that site selection was done for this project, the DPR had not entered into detailed negotiation regarding the terms of the project. Often times when you see a site selection agenda item that contains a support budget, because certain criteria has not been negotiated, the Department must assume the worse case scenario.

After further investigation of Anza-Borrego, we recognized that DPR was allowed to control the park without having to circumvent around the private ownership within the park. Therefore, DPR was comfortable with coming forward with the acquisition approval as an in-holding, without the need for any future support budget available to manage it.

Mr. Anthony Madrigal, member of the Cuya Tribe Band of Indians and board member of the Native American Land Conservancy, stated that he was in support of the approval of the acquisition. The Cuya Tribe of Indians feels that it is a very special place, and that it is their obligation to protect and preserve the land. The Cuya Tribe has worked with the Native American Land Conservancy and the Anza-Borrego Foundation to acquire the Horse Canyon land with the intent to preserve and protect it.

The Cuya Tribe has proposed to partner with the Anza-Borrego Desert State Park. In that, Anza-Borrego Foundation would acquire the property and the Cuya Tribe would partner with them in a joint cultural oversight. This would allow the Tribe to fulfill their obligation of protecting and preserving the land as well as being able to access the land for ceremonies. In addition to that, the Cuya Tribe and Anza-Borrego Foundation would be able to develop a joint education program for both Indian and non-Indian people.

Mr. Madrigal feels that acquiring the property would be the beginning of a partnership with State Parks benefiting Anza-Borrego Desert State Park and the native tribes in the area. He urged the approval of the acquisition before the Board.

**A motion was made by Mr. Hemphill and Second by Mr. Iwasaki to approve Action Item #20.**

**Action Item #20 was approved by a 3-0 vote.**

Item #21, Department of General Services, Department of Parks and Recreation Anza-Borrego Desert State Park, Cuyamaca (Tulloch Ranch) in San Diego County. This is approximately a 2,000-acre parcel that is being proposed. Initially the dept had indicated a need for 6 PYs and \$635,000. The Department will explain how this has changed.

Mr. Wrightsman stated that the Cuyamaca-Tulloch Ranch acquisition was originally site selected in May 2003. Similar to what was stated about the Horse Canyon acquisition, DPR realizes now that, even though a support budget was signed, that this is an issue where the resources of the property are so valuable, providing a habitat linkage on the North side of Lake Cuyamaca and there already is an existing habitat linkage on the South side due to the Lucky-Five acquisition that took place last year. What the Department is looking at now is to complete the acquisition. The circumference of the entire Lake Cuyamaca connects the Anza-Borrego Desert State Park to the existing Cuyamaca State Park. The current plan is to go ahead and accept the property and not ask for support budget. There has been detailed discussion within the DPR as to why the resources of this property are so important.

Mr. Matt Fusey, District Superintendent, Colorado District State Park Region stated that while this property may look like the rest of the property in the area, you must understand the transition from mountain to desert. This property adds to the cultural projection of the area, has trails that have been traditional across the property, and is an excellent connector for the biodiversity of the area. The Colorado District has been looking at this property for many years because of its viable resources.

(Hearing no further comments, Mr. Campbell asked for a motion on Action Item #21)

**A motion was made by Mr. Iwasaki and Second by Mr. Hemphill to approve Action Item #21.**

**Action Item #21 was approved by a 3-0 vote.**

Item #22, Department of General Services, Department of Parks and Recreation, Jedediah Smith Redwoods State Parks (Davis Parcel) in Del Norte County. This is small 10-acre parcel on the edge of the park. This is being presented to you so that you are aware that Parks is proposing to acquire this parcel without the standard indemnification language that the State normally requires on its acquisitions. The seller, a non-profit corporation, did not receive any indemnification when it bought the property and therefore is unwilling to pass it along to the state. Based upon the review of the DGS and its visual inspection that the property has minimal risks associated with it we feel comfortable recommending approval of the acquisition.

Mr. Pat Rogers, Project Manager, Department of Parks and Recreation, stated that this particular project is actually the second phase of a two phase project that included 546-acres that had been approved late last year by the PWB but the 10-acres before the Board today had been removed because of due diligence issues. To date, those issues have been resolved.

**A motion was made by Mr. Hemphill and Second by Mr. Iwasaki to approve Action Item #22.**

**Action Item #22 was approved by a 3-0 vote.**

Item #25, Department of Veteran Affairs, Yountville Veterans Home in Napa County, Lincoln Theatre Renovation. This project is before you for action due to the uniqueness and because we were just able to resolve various issues that were outstanding. This project is a renovation of the theatre in Yountville but basically fully funded by donations from a local community group. The state was planning on doing some modest renovations at the facility anyway and so the community funds were folded into the project.

The community has requested numerous changes to the project, funded at their costs, and this action before you today, while recommends approval of the augmentation, is contingent on the funds being deposited into the escrow account and directs DGS to make sure that sufficient funds are available to complete the project. Staff recommends approval of the augmentation.

**A motion was made by Mr. Iwasaki and Second by Mr. Hemphill to approve Action Item #25.**

**Action Item #25 was approved by a 3-0 vote.**

**OTHER BUSINESS:**

Ms. Finn stated that there were four items of other business.

Item #26, is a request to extend the contract with the Board's financial advisor (Lamont Financial Services Corporation) for 120 days until a new contract can be awarded. Staff recommends approval.

**A motion was made by Mr. Hemphill and Second by Mr. Iwasaki to approve Other Business Item #26.**

**Item #26 was approved by a 3-0 vote.**

Item #27, is a request to extend the contract for legal services with the Department of General Services for one year. Staff recommends approval.

**A motion was made by Mr. Iwasaki and Second by Mr. Hemphill to approve Other Business Item #27.**

**Item #27 was approved by a 3-0 vote.**

Item #28, is a request to approve a resolution to appoint Ms. Rocel Bettencourt as Assistant Administrative Secretary to the Public Works Board. Staff recommends approval and adoption of the resolution.

**A motion was made by Mr. Iwasaki and Second by Mr. Hemphill to approve Other Business Item #28.**

**Item #28 was approved by a 3-0 vote.**

Item #29, is a request to approve a resolution to appoint Ms. Theresa Gunn as Assistant Administrative Secretary to the Public Works Board. Staff recommends approval and adoption of the resolution.

**A motion was made by Mr. Hemphill and Second by Mr. Iwasaki to approve Other Business Item #29.**

**Item #29 was approved by a 3-0 vote.**

**REPORTABLES:**

Ms. Finn indicated that there were four reportable items that Finance staff had approved under the authority delegated by the Board.

**NEXT MEETING:**

Ms. Finn noted that the next regularly scheduled meeting would be Friday July 16, 2004 at 10:00 am at the State Capitol in Room 112.

Having no further business, the meeting was adjourned at 10:33 am.

## **BOND ITEM**

### **BOND ITEM – 1**

No Bond Items.



<b>BOND ITEM</b>
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**STAFF ANALYSIS – 1**

No Bond Items.

## **CONSENT ITEM**

### **CONSENT ITEM – 2**

**DEPARTMENT OF GENERAL SERVICES (1760)**  
**STATE OFFICE AND WAREHOUSE FACILITIES AT BUTTERFIELD WAY**  
Bid Package E–Renovation of Buildings 1 & 2

*Authority: Chapter 328/98*

**a. Approve preliminary plans**

**APPROVED.**  
**Vote: 3-0**

## CONSENT ITEM

### STAFF ANALYSIS – 2

Department of General Services  
State Office and Warehouse Facilities at Butterfield Way  
Bid Package E–Renovation of Buildings 1 & 2  
Sacramento County

#### Action Requested

**The requested action will approve preliminary plans.**

#### Scope Description

**This project is within scope.** The project encompasses the renovation of approximately 813,000 gross square feet consisting of office space, support facilities and file storage. Work includes: re-carpeting and repainting of existing open office areas, conversion of private office areas to open office space, reconfiguration of office space to improve circulation and connection to the new buildings, and code updates for ADA, restrooms. Plumbing, electrical, mechanical, voice and data systems will be reconfigured to support the new space program. Fire alarm system will be upgraded to address current code issues.

#### Funding and Cost Verification

**This project is within cost.**

\$211,000,000	total estimated project costs
\$194,614,000	project costs previously allocated for Bid Packages A, B, C, D: Acquisition (\$1,500,000); Preliminary Plans (\$5,269,000); Working Drawings (\$8,800,000); Construction (\$161,721,550); Other (\$17,323,450).
\$581,000	project costs previously allocated for Bid Package E: Preliminary Plans (\$581,000).
\$15,805,000	project costs to be allocated for Bid Package E: Working Drawings, \$714,000; Construction, \$15,091,000 (\$12,815,000 contract, \$898,000 contingency, and \$1,378,000 A&E).

#### CEQA

A Notice of Determination was filed with the State Clearinghouse on May 26, 2000 and the 30-day waiting period expired June 26, 2000.

#### Project Schedule

**The project schedule is as follows:**

Approve Working Drawings:	July 2004
Bid Date:	December 2004
Completion Date:	December 2005

**Staff Recommendation: Approve preliminary plans.**

## CONSENT ITEM

### CONSENT ITEM – 3

**DEPARTMENT OF MOTOR VEHICLES (2740)**  
**SACRAMENTO HEADQUARTERS BUILDING**  
5<sup>th</sup> Floor Asbestos Removal and Office Renovation

*Authority: Chapter 157/03, Item 2740-301-0044(2)*

**a. Approve preliminary plans**

**b. Approve augmentation of working drawing funds** **\$36,000**  
**(6.62 percent total appropriation)**

**APPROVED.**

**Vote: 3-0**

## CONSENT ITEM

### STAFF ANALYSIS – 3

Department of Motor Vehicles  
Sacramento Headquarters Building  
5<sup>th</sup> Floor Asbestos Removal and Office Renovation

#### Action requested

**The requested action will provide approval of the preliminary plans, an augmentation and release of working drawing funds for this project.**

#### Scope Description

**This project is within scope.** This project consists of the asbestos abatement and renovation of the 5<sup>th</sup> floor (75,016 gsf) of the Department of Motor Vehicles headquarters building. Renovation work includes an open landscape configuration with ADA modifications to restrooms, permanent and temporary hard walled offices, and automatic fire protection/suppression system.

#### Funding and Cost Verification

**This project is not within cost.** The original building renovation strategy included built out of the existing 7<sup>th</sup> floor mechanical space to recapture approximately 25,000 sq. feet of office space lost through the addition of mechanical rooms on each renovated floor. Improvement to the 7<sup>th</sup> floor proved to be prohibitively expensive due to high-rise code issues and the need to extend passenger elevator services to the floor.

Eliminating the 7<sup>th</sup> floor creates an overall project cost avoidance, however, it leads to the re-distribution of some design and construction costs to this project and the future 6<sup>th</sup> floor project due to office relocations. Elimination of the 7<sup>th</sup> floor renovation project from the master plan requires the department to make minor revisions to the floor plans, HVAC system, and the lighting systems on the 5<sup>th</sup> floor to accommodate executive offices originally planned to be located on the 7<sup>th</sup> floor. These changes require additional working drawing funds of \$36,000.

\$8,091,000 total estimated project costs.

\$219,000 project costs previously allocated: preliminary plans.

\$7,872,000 project costs to be allocated: working drawings \$361,000; construction \$7,511,000. This amount includes the additional augmentation request of \$36,000.

#### CEQA

A Notice of Exemption was filed with the State Clearinghouse on April 30, 2004.

#### Due Diligence

The due diligence for the DMV Headquarters building is approximately 75 percent completed. The legal description, preliminary title report, record search and the survey has been completed. It is anticipated that the due diligence will be completed by July 6, 2004.

Project Schedule

**The project schedule is as follows:**

Approve preliminary plans:	June 2004
Approve working drawings:	December 2004
Complete construction:	July 2006

**Staff Recommendation:** Contingent upon expiration of the CEQA waiting period, approve preliminary plans, augmentation of working drawing funds, and release working drawing funds.

## **CONSENT ITEM**

### **CONSENT ITEM – 4**

**DEPARTMENT OF GENERAL SERVICES (1760)**  
**CALIFORNIA TAHOE CONSERVANCY (3125)**  
**COOK PROPERTY, EL DORADO COUNTY**  
CTC Project Number 052A, DGS Parcel Number 10248

*Authority: Government Code Sections 66907.1 and 66907.4*

**a. Authorize the acquisition of real property through the acceptance of a gift**

**APPROVED.**

**Vote: 3-0**

## CONSENT ITEM

### STAFF ANALYSIS – 4

Department of General Services  
California Tahoe Conservancy  
Cook Property

#### Action Requested

**The requested action will authorize the acquisition of real property through the acceptance of a gift.**

#### Scope Description

**This project is within scope.** Mr. Arthur G. Cook, El Dorado County, California, has offered to the State as a gift approximately 0.36 acres for preservation as open space. Future residential development would be restricted.

#### Funding and Cost Verification

**This project is within cost.** The only costs associated with acceptance of this gift are the staff costs to process the acceptance.

#### CEQA

A Notice of Exemption was filed with the State Clearinghouse.

#### Project Schedule

**The project schedule is as follows:**

The anticipated acquisition is immediately upon approval by the PWB.

#### Condition of Property

Department of General Services, Environmental Services Section (ESS) staff conducted a site visit to the Cook property on April 29, 2003. The .36-acre parcel is located on the corner of Clear View Drive and Mountain Trout Drive in Mountain View Estates Unit No. 6, an unincorporated area in South Lake Tahoe, El Dorado County, California. Lot 631 (APN 033-543-07) is a flat, vacant corner lot with few trees. A utility pole is located within the public utility easement on Clear View Drive. A small household trash pile is on or just over the property line with the adjacent neighbor on Clear View Drive.

A Phase I Environmental Site Assessment report was not available for this property and is not deemed necessary given the physical setting of the parcel. No potential problems with hazardous materials, e.g., ground and/or vegetation staining were observed during the ESS site visit and the property is compatible with the proposed future use.

#### Other

- The assessed value of the parcel is \$30,000.
- The site is unoccupied. Relocation assistance is not applicable.
- The property will be delivered with clear title.
- The City of South Lake Tahoe will manage the land through a Memorandum of Understanding with the Conservancy.

**Staff Recommendation: Authorize the acquisition of real property through acceptance of a gift.**



## **CONSENT ITEM**

### **CONSENT ITEM – 5**

**DEPARTMENT OF GENERAL SERVICES (1760)**  
**CALIFORNIA TAHOE CONSERVANCY (3125)**  
**GADOMSKI PROPERTY, EL DORADO COUNTY**  
CTC Project Number 047, DGS Parcel Number 10229

*Authority: Government Code Sections 66907.1 and 66907.4*

**a. Authorize the acquisition of real property through the acceptance of a gift**

**APPROVED.**

**Vote: 3-0**

## CONSENT ITEM

### STAFF ANALYSIS – 5

Department of General Services  
California Tahoe Conservancy  
Gadomski Property

#### Action Requested

**The requested action will authorize the acquisition of real property through the acceptance of a gift.**

#### Scope Description

**This project is within scope.** Mr. Walter Gadomski, El Dorado County, California, has offered to the State as a gift approximately 0.18 acres for preservation as open space. Future residential development would be restricted.

#### Funding and Cost Verification

**This project is within cost.** The only costs associated with acceptance of this gift are the staff costs to process the acceptance.

#### CEQA

A Notice of Exemption was filed with the State Clearinghouse on April 26, 2002, and the waiting period expired May 31, 2003.

#### Project Schedule

**The project schedule is as follows:**

The anticipated acquisition is immediately upon approval by the PWB.

#### Condition of Property

Department of General Services (DGS) Environmental Services Section (ESS) staff have conducted site surveys and reviewed all preliminary site assessment/environmental impact reports of the parcel.

#### Other

- The assessed value of the parcel is \$26,010.
- The site is unoccupied. Relocation assistance is not applicable.
- The property will be delivered with clear title.
- The City of South Lake Tahoe will manage the land through a Memorandum of Understanding with the Conservancy.

**Staff Recommendation: Authorize the acquisition of real property through acceptance of a gift.**

## **CONSENT ITEM**

### **CONSENT ITEM – 6**

**DEPARTMENT OF GENERAL SERVICES (1760)**  
**CALIFORNIA TAHOE CONSERVANCY (3125)**  
**GAINES PROPERTY, EL DORADO COUNTY**  
CTC Project Number 052A, DGS Parcel Number 10248

*Authority: Government Code Sections 66907.1 and 66907.4*

**a. Authorize the acquisition of real property through the acceptance of a gift**

**APPROVED.**

**Vote: 3-0**

## CONSENT ITEM

### STAFF ANALYSIS – 6

Department of General Services  
California Tahoe Conservancy  
Gaines Property

#### Action Requested

**The requested action will authorize the acquisition of real property through the acceptance of a gift.**

#### Scope Description

**This project is within scope.** Ms. Bonnie M. Gaines, El Dorado County, California, has offered to the State as a gift approximately 0.24 acres for preservation as open space. Future residential development would be restricted.

#### Funding and Cost Verification

**This project is within cost.** The only costs associated with acceptance of this gift are the staff costs to process the acceptance.

#### CEQA

A Notice of Exemption was filed with the State Clearinghouse.

#### Project Schedule

**The project schedule is as follows:**

The anticipated acquisition is immediately upon approval by the PWB.

#### Condition of Property

Department of General Services, Environmental Services Section (ESS) staff conducted a site visit to the Gaines property on April 29, 2003. The .24-acre parcel is located on Bonita Road in Lakeview Tahoe Unit No. 1, an unincorporated area in South Lake Tahoe, El Dorado County. The steeply sloping parcel (APN 028-070-24) is vacant and covered with brushy vegetation. A small pile of wood debris is located on the southwestern side of the lot.

A Phase I Environmental Site Assessment report was not available for this property and is not deemed necessary given the physical setting of the parcel. No potential problems with hazardous materials were observed during the ESS site visit and the property is compatible with the proposed future use.

#### Other

- The assessed value of the parcel is \$30,000.
- The site is unoccupied. Relocation assistance is not applicable.
- The property will be delivered with clear title.
- The City of South Lake Tahoe will manage the land through a Memorandum of Understanding with the Conservancy.

**Staff Recommendation: Authorize the acquisition of real property through acceptance of a gift.**

## **CONSENT ITEM**

### **CONSENT ITEM – 7**

**DEPARTMENT OF GENERAL SERVICES (1760)**  
**CALIFORNIA TAHOE CONSERVANCY (3125)**  
**SMITH PROPERTY, EL DORADO COUNTY**  
CTC Project Number 049A, DGS Parcel Number 10231

*Authority: Government Code Sections 66907.1 and 66907.4*

**a. Authorize the acquisition of real property through the acceptance of a gift**

**APPROVED.**

**Vote: 3-0**

## CONSENT ITEM

### STAFF ANALYSIS – 7

Department of General Services  
California Tahoe Conservancy  
Smith Property

#### Action Requested

**The requested action will authorize the acquisition of real property through the acceptance of a gift.**

#### Scope Description

**This project is within scope.** Mr. Phil Smith, El Dorado County, California has offered to the State as a no cost acquisition approximately 0.14 acres for preservation as open space. Future residential development would be restricted.

#### Funding and Cost Verification

**This project is within cost.** The only costs associated with acceptance of this gift are the staff costs to process the acceptance.

#### CEQA

A Notice of Exemption was filed with the State Clearinghouse on September 25, 2003, and the waiting period expired October 30, 2003.

#### Project Schedule

**The project schedule is as follows:**

The anticipated acquisition is immediately upon approval by the PWB.

#### Condition of Property

Department of General Services (DGS) Environmental Services Section (ESS) staff have conducted site surveys and reviewed all preliminary site assessment/environmental impact reports of the parcel.

#### Other

- The assessed value of the parcel is \$28,000.
- The site is unoccupied. Relocation assistance is not applicable.
- The property will be delivered with clear title.
- The City of South Lake Tahoe will manage the land through a Memorandum of Understanding with the Conservancy.

**Staff Recommendation: Authorize the acquisition of real property through acceptance of a no cost acquisition.**

## CONSENT ITEM

### CONSENT ITEM – 8

**DEPARTMENT OF FORESTRY AND FIRE PROTECTION (3540)**  
**AHWAHNEE FOREST FIRE STATION, MADERA COUNTY**  
Replace Facility

*Authority: Chapter 50/99, Item 3540-301-0001 (46)*  
*Chapter 106/01, Item 3540-301-0001 (36)*  
*Chapter 379/02, Item 3540-301-0660 (19.5)*

**a. Approve augmentation** **\$75,000**  
**(4.5 percent construction)**  
**(14.0 percent total project)**

**APPROVED.**  
**Vote: 3-0**

## CONSENT ITEM

### STAFF ANALYSIS – 8

Department of Forestry and Fire Protection  
Ahwahnee Forest Fire Station, Replace Facility

#### Action Requested

**The requested action will approve an augmentation for the construction phase of this project**

#### Scope Description

**This project is within scope.** The project consists of the following improvements: a 12-person barracks/messhall building (2,929 sf), a 3 bay apparatus building (1,984 sf) with one office, a flammable storage building (100 sf); fueling facility, paving, utilities and other appurtenances as needed.

#### Funding and Cost Verification

**This project is not within cost.** Item 3540-301-0660(19.5), Budget Act of 2002, provides \$1,659,000 for the construction phase of this project (\$1,837,000 total authorized project cost). Bids were opened May 29, 2003, resulting in a low bid of \$1,610,818. Awarding the low bid would have required a 16 percent augmentation (\$293,000), based on the total amount budgeted for the project. While this project was within the 20 percent augmentation authority of the State Public Works Board (PWB) as bid, it was determined that the amount of augmentation authority remaining in the project would not provide a sufficient margin should unforeseen site conditions be encountered during construction. For this reason, an augmentation of \$182,067 (9.91 percent) and various cost reductions (\$110,993) were approved prior to awarding the contract.

On June 19, 2003, a 20-Day Letter was sent notifying the Legislature of our intent to approve a scope change requested by the California Department of Forestry and Fire Protection (CDF) to remove the 150 square feet (sf) flammables storage building and associated site work from the scope of this project. The change in scope was requested to reduce the construction costs of the project in an effort to retain sufficient augmentation authority for the completion of this facility, with an estimated savings of \$71,000.

On July 8, 2003, the Joint Legislative Budget Committee indicated that it did not support the proposed scope change because additional augmentation authority for this project was still available and the existing authority could be used to cover future augmentations. Because of this opposition, it was determined that these components could be completed in the final stages of construction which would allow a second opportunity to approve the proposed scope reductions should any major unforeseen site conditions be encountered that would require more than the remaining augmentation authority.

The project is now in the final stages of completion and, fortunately, no major unforeseen site conditions were encountered. Therefore, the CDF is requesting an augmentation of \$75,132, which represents a cumulative augmentation of \$257,199 (14.0 percent of the total project), to complete the construction phase of this project. A 20-Day Letter was sent on May 21, 2004 and the notification period has expired without objection.



\$2,094,000 total estimated project costs

\$1,837,000 total authorized project costs

\$190,000 project costs previously allocated: preliminary plans \$50,000, working drawings \$128,000, and construction (due diligence) \$12,000

\$1,829,000 project costs to be allocated: Construction \$1,647,000 (\$1,429,000 contract, \$16,000 contingency, and \$202,000 A&E and other project costs) and previous augmentation \$182,000

\$75,000 requested augmentation

#### CEQA

A Notice of Determination was filed with the State Clearinghouse on June 22, 2000 and the waiting period expired on July 24, 2000.

#### Project Schedule

**The project schedule to construct is as follows:**

Complete construction: August 2004

**Staff Recommendation: Approve augmentation.**

## **CONSENT ITEM**

### **CONSENT ITEM – 9**

**DEPARTMENT OF GENERAL SERVICES (1760)**  
**DEPARTMENT OF PARKS AND RECREATION (3790)**  
**ANZA-BORREGO DESERT STATE PARK, TAX DELINQUENT PROPERTIES**  
**SAN DIEGO COUNTY**  
DPR Parcel Number A29301, DGS Parcel Number 10223

*Authority: Chapter 379/02, Item 3790-301-6029(6)*

#### **a. Authorize acquisition**

**APPROVED.**  
**Vote: 3-0**

## CONSENT ITEM

### STAFF ANALYSIS – 9

Department of General Services  
Department of Parks and Recreation  
Anza-Borrego Desert State Park, Tax Delinquent Properties

#### Action Requested

**The requested action will authorize acquisition of tax default properties consistent with the staff analysis.**

#### Scope Description

**This project is within scope.** The Legislature included an appropriation to the Department of Parks and Recreation (DPR) from Proposition 40, for opportunity purchases of property additions to the State Park System without specifying particular parcels. This request will authorize acquisition of 223.31 acres of land, in 13 separate parcels, which are in-holdings within the Anza-Borrego Desert State Park.

#### Funding and Cost Verification

**This project is within cost.** Chapter 379/02, Item 3790-301-6029(6) provides \$40,000,000 for fee simple interest and overhead for this acquisition. The properties can be acquired with the remaining funds and in accordance with Legislative intent.

\$12,684          total project costs

\$1,500          project costs previously allocated (DGS staff costs)

\$11,184          project costs to be allocated: \$9,184 acquisition and approximately \$2,000 in overhead costs

#### CEQA

The Notice of Exemption was filed with the State Clearinghouse on February 2, 2004, and the waiting period expired on March 8, 2004.

#### Project Schedule

**The project schedule is as follows:**

The anticipated close of escrow is July 2004.

#### Condition of Property

Department of General Services (DGS), Environmental Services Section (ESS) staff conducted a site visit to the properties to be acquired on January 26 and 27, 2004. The acquisition consists of 223.31 acres in 13 separate parcels of vacant and undeveloped desert land located within Anza-Borrego Desert State Park. The predominant current and historic use of the land is for open space. There are no property improvements.

#### Other:

- The specified parcels held in title by the County of San Diego in consideration of delinquent property taxes shall be transferred to the State.
- The property is vacant and unimproved.
- There is no relocation assistance involved with this project.
- There is no implied dedication applicable to this property.

- DPR is not aware of any lawsuits pending concerning the properties. The Tax Deed to the State will be free and clear of any liens.
- As in-holding properties, DPR does not estimate there will be any additional operating costs resulting from the acquisition.

**Staff Recommendation: Authorize acquisition.**

## CONSENT ITEM

### CONSENT ITEM – 10

DEPARTMENT OF CORRECTIONS (5240)  
CALIFORNIA STATE PRISON – KERN COUNTY AT DELANO II

*Authority: Chapter 54/99, Item 5240-802-0001  
Chapter 54/99, Item 5240-801-0660.268 as partially codified by  
Government Code Section 15819.295*

a. Recognize scope change

b. Approve augmentation **\$1,492,000**  
(8.9 percent of total appropriation)

**APPROVED.**

**Vote: 3-0**

## CONSENT ITEM

### STAFF ANALYSIS – 10

Department of Corrections  
California State Prison – Kern County at Delano II, Kern County

#### Action Requested

**The requested action will recognize a scope change and provide an augmentation to the project.**

#### Scope Description

**This project is not within scope.** The California State Prison - Kern County at Delano II (Delano II) project consists of constructing a maximum security State prison for male inmates located near the City of Delano in Kern County. The project, when completed, will add a total of 2,248 cells to the California prison system, together with a 400-bed Level I support services facility.

The Department of Corrections (CDC) is requesting a scope change to add an arsenic removal system for the Delano II potable water supply. Water samples from the two new domestic water wells indicate arsenic levels within the current maximum contaminant level (MCL). However, these arsenic levels are not within the new U.S. Environmental Protection Agency MCL for arsenic that will be effective January 2006. Engineering consultants prepared a pre-design report for a treatment process for arsenic removal at Delano II. They recommended a precipitation process in which small tanks are filled with a proprietary filtration media. Chemicals, which bond with the arsenic, are injected into the water, creating floc. The floc is then periodically backwashed from the tanks. Pilot tests would be conducted to determine chemical feed levels, backwash rates and duration, to perform sampling, and to refine cost comparisons.

Constructing the arsenic removal system while other construction is still in process will minimize costs. Additionally, constructing the system as soon as possible will avoid the additional costs associated with construction cost escalation and performing construction at an occupied prison.

#### Funding and Cost Verification

**This project is not within cost.** The Department of Corrections (CDC) is requesting approval of increased project costs. An augmentation is needed to design and construct the arsenic removal system. A preliminary estimate for the design and construction of an arsenic removal system is approximately \$1,657,000. An augmentation of \$1,492,000 along with existing project authority will cover these costs. The augmentation would increase the budget of preliminary plans, working drawings, project administration, construction support, contract and contingency.

\$365,225,000 total estimated project cost

\$363,733,000 project costs previously allocated: acquisition \$5,072,000; preliminary plans \$4,683,000; working drawings \$6,190,000; project administration \$31,669,000; long lead \$1,079,000; group II equipment \$11,853,000; agency retained \$17,142,000; and construction \$286,045,000 (\$267,916,000 contract; \$13,396,000 contingency; \$4,733,000 A&E) at CCCI 3846

\$1,492,000 proposed augmentation: preliminary plans \$65,000; working drawings \$10,000; project administration \$117,000; long lead \$5,000; and construction \$1,295,000 (contract \$1,200,000; contingency \$60,000; construction support \$35,000) at CCCI 3846

### CEQA

The Department certifies CEQA requirements have been met. A Notice of Determination was filed with the State Clearinghouse on June 9, 2000. During the litigation period for the project, a lawsuit was filed. After the Department completed a court-ordered revision to the Cumulative Impacts Analysis of the Subsequent Environmental Impact Report, a new Notice of Determination was filed with the State Clearinghouse on December 13, 2001, and the waiting period expired on January 14, 2002. On April 4, 2002, the court issued a decision finding the Revised Cumulative Impacts Analysis to be adequate and that all CEQA requirements had been met. A Notice of Appeal was filed on July 9, 2002. The 5<sup>th</sup> Court of Appeals heard the matter on August 11, 2003, and issued a ruling favorable to the State of California on August 18, 2003, affirming the lower court's decision.

### Project Schedule

**The project schedule is as follows:**

Complete construction:                      September 2004

### Due Diligence Status

Due Diligence was completed.

**Staff Recommendation: Approve scope change and augmentation.**

## **CONSENT ITEM**

### **CONSENT ITEM – 11**

**DEPARTMENT OF CORRECTIONS (5240)  
CALIFORNIA SUBSTANCE ABUSE TREATMENT FACILITY AND STATE PRISON  
CORCORAN, KINGS COUNTY**

*Authority: Chapter 585/93*

**a. Approve a new line item within the agency retained cost category**

**APPROVED.**

**Vote: 3-0**



## CONSENT ITEM

### STAFF ANALYSIS – 11

Department of Corrections  
California Substance Abuse Treatment Facility and State Prison  
Corcoran, Kings County

#### Action Requested

**The requested action will establish a new line item within the agency retained cost category.**

#### Scope Description

**This project is within scope.** The California Substance Abuse Treatment Facility and State Prison at Corcoran consists of a 2,644-bed state prison and a 1,056-bed substance abuse treatment facility for a total of 3,700 beds, which is located adjacent to California State Prison, Corcoran. The California State Prison at Corcoran II houses 512 maximum-security inmates (Level IV) and 2,032 medium security inmates (Level II and Level III). This project also includes an additional 100-bed Level I housing unit and a 21-bed expansion to the acute care hospital on the grounds of California State Prison, Corcoran.

#### Funding and Cost Verification

**This project is within cost.** The California Department of Corrections is required to comply with the provisions of the Americans With Disabilities Act of 1990 and Section 504 of the Rehabilitation Act of 1973. Compliance includes providing access for disabled visitors and members of the public. This would require modifying facilities to ensure each institution provide reasonable and appropriate access to those areas where visitors and other members of the public have legitimate business. Items such as providing accessible restroom accessories, door hardware, signage, parking, ramps, landings, and path of travel to the appropriate areas are required. The estimated cost of these modifications is \$75,000 and can be covered with existing project authority.

#### California Substance Abuse Treatment Facility

\$92,577,000            total estimated project cost

\$92,577,000            project costs previously allocated: preliminary plans \$2,636,000; working drawings \$2,700,000; project administration \$8,518,000; equipment \$5,872,000; agency retained \$6,366,000; and construction \$66,485,000 (contract \$61,947,000, contingency \$3,342,000, and A&E costs \$1,196,000) at LSI-M/L 516

#### CEQA

The Department certifies that the requirements of CEQA have been met. A Notice of Determination was filed with the State Clearinghouse on October 17, 1994, and the waiting period expired November 16, 1994.

#### Project Schedule

This work is scheduled for fiscal year 2004/2005.

**Staff Recommendation: Approve a new line item within the agency retained cost category.**

## CONSENT ITEM

### CONSENT ITEM – 12

DEPARTMENT OF CORRECTIONS (5240)  
PLEASANT VALLEY STATE PRISON, FRESNO COUNTY  
PLEASANT VALLEY STATE PRISON

*Authority: Chapter 981/90, Item 5240-802-0660.147*

**a. Approve a new line item within the agency retained cost category**

**APPROVED.**

**Vote: 3-0**

## CONSENT ITEM

### STAFF ANALYSIS – 12

Department of Corrections  
Pleasant Valley State Prison, Fresno County

#### Action Requested

**The requested action will establish a new line item within the agency retained cost category.**

#### Scope Description

**This project is within scope.** The Pleasant Valley State Prison is a 2,208-bed State prison located near the city of Coalinga in Fresno County. Pleasant Valley State Prison is designed to house a male population of 2,000 medium-security inmates (Level III) and 208 minimum-security inmates (Level I).

#### Funding and Cost Verification

**This project is within cost.** The California Department of Corrections is required to comply with the provisions of the Americans With Disabilities Act of 1990 and Section 504 of the Rehabilitation Act of 1973. Compliance includes providing access for disabled visitors and members of the public. This would require modifying facilities to ensure each institution provide reasonable and appropriate access to those areas where visitors and other members of the public have legitimate business. Items such as providing accessible restroom accessories, door hardware, signage, parking, ramps, landings, and path of travel to the appropriate areas are required. The estimated cost of these modifications is \$70,000 and can be covered with existing project authority.

\$206,177,000 total estimated project cost

\$206,177,000 project costs previously allocated: acquisition \$4,572,000; preliminary plans \$6,133,000; working drawings \$3,960,000; project administration \$17,276,000; long lead \$1,489,000; group II equipment \$11,828,000; agency retained \$16,994,000; and construction \$143,925,000 (\$123,739,000 contract; \$17,263,000 contingency; \$2,923,000 A&E) at LSI-M/L 516

#### CEQA

The Department certifies that the CEQA requirements have been met.

#### Project Schedule

This work is scheduled for fiscal year 2004/2005.

**Staff Recommendation: Approve the new agency retained line item.**

## CONSENT ITEM

### CONSENT ITEM – 13

**DEPARTMENT OF THE YOUTH AUTHORITY (5460)**  
**NORTHERN CALIFORNIA YOUTH CORRECTIONAL CENTER, SAN JOAQUIN COUNTY**  
Correctional Treatment Center, Stockton

*Authority: Chapter 52/00, Item 5460-301-0001 (6)*  
*Chapter 106/01, Item 5460-301-0001 (3)*  
*Chapter 379/02, Item 5460-301-0660 (1)*

**a. Approve Contract Award**

**b. Augmentation** **\$535,620**  
(12.03 percent of total project)

**APPROVED.**  
**Vote: 3-0**

## CONSENT ITEM

### STAFF ANALYSIS – 13

Department of the Youth Authority  
Northern California Youth Correctional Center  
Correctional Treatment Center

#### Action Requested

**The requested action will approve contract award and augmentation for this project**

#### Scope Description

**This project is within scope.** The project will upgrade the existing infirmary to comply with regulations necessary for licensing by the Department of Health Services. The modifications include increasing the size of six medical and eight mental health beds in separate wings, upgrading the lobby for control and access, consolidation of pharmacy storage, renovation of staff lockers and lounge, and external exercise area.

#### Funding and Project Cost Verification

**This project is not within cost.** The requested changes mandated by the Department of Health Services and the denial of program flexes require these changes.

\$4,988,620      total estimated project costs

\$520,000      project costs previously allocated: preliminary plans \$219,000 and working drawings \$301,000

\$3,933,000      project costs to be allocated: and construction \$3,933,000 (\$3,165,000 contract, \$222,000 contingency, \$270,000 A&E, \$204,000 other project costs, \$72,000 agency retained).

\$535,620      augmentation of 12.03 percent

#### CEQA

A Notice of Exemption was filed with the State Clearinghouse on July 2, 2001, and the waiting period expired on August 1, 2001.

#### Project Schedule

**The project schedule is as follows:**

Award Contract:                      June 2004

Complete construction:              July 2005

**Staff Recommendation: Approve contract award and augmentation for this project.**

## **CONSENT ITEM**

### **CONSENT ITEM – 14**

**DEPARTMENT OF CORRECTIONS (5240)**  
**CHUCKAWALLA VALLEY STATE PRISON, BLYTHE, RIVERSIDE COUNTY**  
Heating, Ventilation, and Air-conditioning System

*Authority: Chapter 379/02, Item 5240-301-0751(1), 61.22.004*

**a. Approve preliminary plans**

**APPROVED.**  
**Vote: 3-0**

## CONSENT ITEM

### STAFF ANALYSIS – 14

Department of Corrections  
Chuckawalla Valley State Prison, Blythe, Riverside County  
Heating, Ventilation, and Air-conditioning System

#### Action Requested

**The requested action will approve preliminary plans.**

#### Scope Description

**This project is within scope.** This project includes replacing failing evaporative cooling units, repair collateral damage to roofs, repair collateral damage to building structures, and rehabilitate the housing unit showers. This project will provide a Central Chiller Plant (CCP) and associated piping loop with new Heating, Ventilation, and Air-conditioning (HVAC) units at the buildings to replace the deteriorated evaporative cooling units, and in the future, replace exiting HVAC units (known as DX units) that are not part of this project. The CCP will be located on the site and designed to facilitate future expansion to service the adjacent Ironwood State Prison. The housing units will receive new roofing, additional roof insulation, wall insulation, shower rehabilitation, and minor structural repairs to roof and wall areas. Other buildings will receive new roofs without additional insulation; metal roofs and will only have damaged areas replaced; and some buildings will have minor structural repairs.

Steel purchases and the complexity of the project may have an impact on future cost increases on this project.

#### Funding and Project Cost Verification

**This project is within cost.**

\$31,195,000 total estimated project costs

\$1,080,000 project costs previously allocated: preliminary plans \$1,080,000

\$30,115,000 project costs to be allocated: working drawings \$1,234,000; construction \$28,881,000 (\$22,970,000 contract, \$1,608,000 contingency, \$3,069,000 project administration, and \$1,234,000 agency retained)

#### CEQA

A Notice of Determination was filed with the State Clearinghouse on April 2, 2004, and the period for litigation expired on May 6, 2004, with no public comment.

#### Project Schedule

**The project schedule is as follows:**

Approve preliminary plans:	June 2004
Approve working drawings:	May 2005
Complete construction:	June 2008

#### Due Diligence:

Due Diligence is anticipated to be complete by May 26, 2004.

**Staff Recommendation: Approve preliminary plans.**

## CONSENT ITEM

### CONSENT ITEM – 15

**DEPARTMENT OF CORRECTIONS (5240)**  
**CALIFORNIA SUBSTANCE ABUSE TREATMENT FACILITY AND STATE PRISON,**  
**CORCORAN, KINGS COUNTY**  
19-Station Hemodialysis Treatment Clinic

*Authority: Chapter 157/03, Item 5240-301-0746(1), Provision 1*

**a. Approve preliminary plans**

**APPROVED.**

**Vote: 3-0**



## CONSENT ITEM

### STAFF ANALYSIS – 15

Department of Corrections  
California Substance Abuse Treatment Facility and State Prison, Corcoran, Kings County  
19-Station Hemodialysis Treatment Clinic

#### Action Requested

**The requested action will approve preliminary plans.**

#### Scope Description

**This project is within scope.** This project includes the renovation and addition of 224 square feet to the Food Service Satellite Building 542 at California Substance Abuse Treatment Facility and State Prison. This project is to provide a licensed 19-station on-site hemodialysis treatment clinic.

The work is necessary for the 19-station renovation of the Food Service Satellite Building 542 and an additional 224 square feet to house the dialysate tanks and a water treatment system, thereby creating a total of 4,193 square feet of clinic space. Site improvements for the clinic will include a large open treatment area for the 19-stations; nurses station; waiting room; office; storage/supply room; soiled linen utility room; clean linen utility room; larger conference room; containment waste room; separate male and female staff bathrooms with lockers; inmate restroom; dialysis machine repair room; records room; janitor room; water treatment/dialysate storage tank room; new exterior can wash area; and, approximately 125 feet of paved road for a new fenced Sallyport for inmate access. Once completed the clinic will provide dialysis treatment for up to 114 inmates with chronic renal insufficiency (kidney failure), with each station having the capability of dialyzing three inmates per day, scheduled in four increments, six days a week.

#### Funding and Project Cost Verification

**This project is within cost.**

\$1,038,000      total estimated project costs

\$1,038,000      project costs to be allocated: working drawings \$147,000; construction \$891,000 (contract \$655,000; contingency \$38,000; project administration \$126,000; and agency-retained \$72,000)

#### CEQA

A Notice of Exemption was filed with the State Clearinghouse on February 19, 2004, and the period for litigation expired on March 19, 2004, with no public comment.

#### Project Schedule

**The project schedule is as follows:**

Approve preliminary plans:	May 2004
Approve working drawings:	September 2004
Complete construction:	September 2005

#### Due Diligence:

Due Diligence is anticipated to be completed by July 2004.

**Staff Recommendation: Approve preliminary plans.**

## CONSENT ITEM

### CONSENT ITEM – 16

**CALIFORNIA COMMUNITY COLLEGES (6870)**  
**COPPER MOUNTAIN COMMUNITY COLLEGE DISTRICT**  
**COPPER MOUNTAIN COLLEGE, SAN BERNARDINO**  
Multiuse Sports Complex

*Authority: Chapter 157/03, Item 6870-301-6028 (97)*

- a. Recognize anticipated deficit **\$927,000**  
(8 percent of construction)  
(7.2 percent of state project cost)
- b. Approve preliminary plans

**APPROVED.**  
**Vote: 3-0**

## CONSENT ITEM

### STAFF ANALYSIS – 16

California Community Colleges  
Copper Mountain Community College District  
Copper Mountain College, San Bernardino County  
Multiuse Sports Complex

#### Action Requested

**The requested action will approve preliminary plans for this project.**

#### Scope Description

**The project is within scope.** This project provides for the construction of 31,440 assignable square feet (asf) of new space, including 27,120 asf demonstration space, 573 asf office space, 3,747 asf storage/other space, and outdoor facilities for the physical education program.

#### Funding and Project Cost Verification

**The project is not within cost.** Cost increase is being addressed through a revision to the Governor's budget proposal.

\$14,458,000 total authorized project costs

\$15,385,000 total estimated project costs

\$501,000 state project costs previously allocated: preliminary plans

\$12,452,000 state project costs to be allocated: working drawings \$384,000, construction \$11,572,000 (\$10,459,000 contracts, \$549,000 contingency, \$564,000 construction management, administration, testing and inspection) at CCI 4100 and equipment \$496,000 at EPI 2564

\$92,000 local project costs previously allocated: preliminary plans

\$1,299,000 local project costs to be allocated: working drawings \$114,000, construction \$1,299,000 (\$1,201,000 contract, \$34,000 contingency, \$64,000 construction management, administration, testing and inspection)

\$927,000 anticipated deficit: construction \$927,000

#### CEQA

A Campus Environmental Impact Report for the project was filed with the state clearinghouse on July 28, 1992 and the waiting period expired on September 11, 1992.

#### Project Schedule

**The project schedule is as follows:**

Approve working drawings:	January 2005
Complete construction:	September 2006

### Due Diligence Status

Community college districts are local entities and the State does not have title to their real property, hence districts acknowledge that they have full responsibility for clearing due diligence issues for general obligation bond projects.

**Staff Recommendation: Recognize anticipated deficit and approve preliminary plans.**

## CONSENT ITEM

### CONSENT ITEM – 17

**CALIFORNIA COMMUNITY COLLEGES (6870)**  
**SIERRA JOINT COMMUNITY COLLEGE DISTRICT**  
**SIERRA COLLEGE, PLACER COUNTY**

Construct New Classroom/Labs

*Authority: Chapter 157/03, Item 6870-301-6028 (74)*

**a. Approve preliminary plans**

**APPROVED.**

**Vote: 3-0**

## CONSENT ITEM

### STAFF ANALYSIS – 17

California Community Colleges  
Sierra Joint Community College District  
Sierra College, Placer County  
Construct New Classroom/Labs

#### Action Requested

**The requested action will approve preliminary plans for this project.**

#### Scope Description

**The project is within scope.** This project provides for the construction of 38,852 assignable square feet (asf) of new space, including 6,440 asf lecture, 25,620 asf laboratory, 5,592 asf office, and 1,200 asf other spaces.

#### Funding and Project Cost Verification

**The project is within cost.**

\$18,361,000 total authorized project costs

\$734,000 project costs previously allocated: preliminary plans

\$17,627,000 project costs to be allocated: working drawings \$567,000; construction \$14,638,000 (\$13,234,000 contracts, \$662,000 contingency, \$742,000 construction management, administration, testing and inspection) at CCI 4100 and equipment \$2,422,000 at EPI 2564

#### CEQA

A Negative Declaration for the project was filed with the state clearinghouse on April 23, 2004 and the waiting period expired on May 22, 2004.

#### Project Schedule

**The project schedule is as follows:**

Approve working drawings: October 2004

Complete construction: June 2006

#### Due Diligence Status

Community college districts are local entities and the State does not have title to their real property, hence districts acknowledge that they have full responsibility for clearing due diligence issues for general obligation bond projects.

**Staff Recommendation: Approve preliminary plans.**

## CONSENT ITEM

### CONSENT ITEM – 18

**CALIFORNIA COMMUNITY COLLEGES (6870)  
SAN MATEO COUNTY COMMUNITY COLLEGE DISTRICT  
SKYLINE COLLEGE, SAN MATEO COUNTY**

Seismic Retrofit – Buildings #7 & #8

*Authority: Chapter 106/01, Item 6870-301-0574 (63)  
Chapter 379/02, Item 6870-301-6028 (47)*

- a. Approve scope change
- b. Approve reversion of State funds **\$713,000**
- c. Recognize local cost increase **\$5,209,000**

**APPROVED.**

**Vote: 3-0**

## CONSENT ITEM

### STAFF ANALYSIS – 18

California Community Colleges  
San Mateo County Community College District  
Skyline College, San Mateo County  
Seismic Retrofit – Buildings #7 & #8

#### Action Requested

**The requested action will approve a change to project scope, revert State funds, and recognize a local cost increase for this project.**

#### Scope Description

**The project is not within scope.** The authorized scope of the project provides for the seismic retrofit of Buildings #7 & #8 at Skyline College to meet code requirements for structural safety and for access compliance, with no change in program functions within the buildings.

The District seeks to add additional local bond funds so that it may renovate and modernize Building 8 as the reconstruction effort strengthens its structural integrity. The district proposes to improve access to all public areas and to upgrade the ventilation, acoustics, lights and electrical systems within the classrooms beyond what was contemplated in the seismic retrofit of the building.

Improvements will be made to lecture rooms to increase functionality, instructional capacity, and technology capacity. There are no plans to change the academic programming within the building as a result of this additional reconstruction work.

The Chancellor's Office proposes to remove Building 7 from the Seismic retrofit portion of this project. The District proposes to modernize this facility in ways that alters the academic programming of the facility. These issues will be addressed in a future budget request currently under development. A 20-Day Letter was sent to the Legislature on May 21, 2004, without comment.

#### **Funding and Project Cost Verification**

**The project is not within cost.** The removal of the seismic retrofit of Building 7 from the project is estimated to reduce State costs by \$713,000. The cost to modernize Building 8 during the seismic retrofit of that building is estimate to cost an additional \$5,239,000 and will be funded by the District.

(Funding and Project Cost Verification on following page)



\$4,288,000 total authorized project costs

\$8,814,000 total estimated project costs

\$365,000 state project costs previously allocated: preliminary plans \$182,000 and working drawings \$183,000

\$3,923,000 state project costs to be allocated: construction \$3,923,000 (\$3,452,000 contracts, \$242,000 contingency, \$229,000 construction management, administration, testing and inspection) at CCI 4019

(\$713,000) state project funds to be reverted: construction \$713,000 (\$617,000 contract, \$50,000 contingency, \$46,000 construction management, administration, testing and inspection) at CCI 4019

\$5,239,000 local funds to be provided: preliminary plans \$187,000, working drawings \$190,000, construction \$3,972,000 (\$3,516,000 contract, \$246,000 contingency, \$210,000 construction management, administration, testing and inspection) at CCI 4019 and equipment \$890,000 at EI 2564

#### CEQA

A Negative Declaration was filed with the State Clearinghouse on October 1, 2001 and the waiting period expired on November 6, 2001.

#### Project Schedule

**The project schedule is as follows:**

Approve working drawings:	October 2004
Complete construction:	January 2006

#### Due Diligence Status

Community college districts are local entities and the State does not have title to their real property, hence districts acknowledge that they have full responsibility for clearing due diligence issues for general obligation bond projects.

**Staff Recommendation: Approve scope change, revert State funds and recognize local cost increase.**

## CONSENT ITEM

### CONSENT ITEM – 19

**CALIFORNIA COMMUNITY COLLEGES (6870)**  
**SAN BERNARDINO COMMUNITY COLLEGE DISTRICT**  
**VALLEY COLLEGE, SAN BERNARDINO COUNTY**  
Auditorium Building – Seismic Retrofit

*Authority: Chapter 379/01, Item 6870-301-6028 (50)*

**a. Recognize scope change**

**b. Approve increased cost within appropriation** **\$1,398,000**

**APPROVED.**

**Vote: 3-0**

## CONSENT ITEM

### STAFF ANALYSIS – 19

California Community Colleges  
San Bernardino Community College District  
Valley College, San Bernardino County  
Auditorium Building – Seismic Retrofit

#### Action Requested

**The requested action will recognize a scope change and approve increased costs within appropriation.**

#### Scope Description

**This project is not within scope.** The authorized project strengthens the structural integrity of a 17,133 asf auditorium building. With construction underway, it was discovered that the electrical and lighting systems were damaged, over-utilized, and not compliant with current building code requirements. In addition, the building lacks a fire curtain, a requirement of the Division of the State Architect before the building can be re-occupied. The revised scope of the project includes replacement of the lighting and electrical system and installation of a fire curtain. A 20-Day Letter was sent to the Legislature on May 21, 2004, without comment.

#### Funding and Project Cost Verification

**This project is within cost.** Department of Finance approved award of the construction contract for this project in July 2003. The low bid amount of \$1,709,000 was below the construction appropriation by \$1,403,000. The scope changes listed above are estimated at \$1,850,000, of which \$1,398,000 is State-supportable. The District will fund the balance of \$452,000 and the remaining \$5,000 in the construction appropriation will be reverted.

\$3,760,000 total authorized project costs

\$4,207,000 total estimated project costs

\$1,403,000 increased state costs to be allocated: construction \$1,403,000 (\$1,403,000 contracts)

\$2,357,000 project costs previously allocated: preliminary plans \$137,000; working drawings \$144,000; construction \$2,076,000 (\$1,709,000 contracts, \$218,000 contingency, \$149,000 administration, testing and inspection) at CCCI 4019

\$452,000 local funds to be allocated: construction \$452,000 (\$137,000 contingency, \$311,000 administration, testing and inspection) at CCCI 4019

(\$5,000) project funds to be reverted

#### CEQA

A Notice of Exemption with the State Clearinghouse on March 22, 2001 and the review period expired on April 27, 2001.

#### Project Schedule

**The project schedule is as follows:**

Award additional construction:	July 2003
Complete construction:	January 2004

#### Due Diligence Status

Community college districts are local entities and the State does not have title to their real property, hence districts acknowledge that they have full responsibility for clearing due diligence issues for general obligation bond projects.

**Staff Recommendation: Approve scope change and approve cost increase within appropriation.**

## **ACTION ITEM**

### **ACTION ITEM – 20**

**DEPARTMENT OF GENERAL SERVICES (1760)**  
**DEPARTMENT OF PARKS AND RECREATION (3790)**  
**ANZA-BORREGO DESERT STATE PARK, HORSE CANYON**  
**RIVERSIDE COUNTY**  
DPR Parcel Number A45201, DGS Parcel Number 10199

*Authority: Chapter 379/02, Item 3790-301-6029(6)*

**a. Authorize acquisition**

**APPROVED.**  
**Vote: 3-0**

## ACTION ITEM

### STAFF ANALYSIS – 20

Department of General Services  
Department of Parks and Recreation  
Anza-Borrego Desert State Park, Horse Canyon

#### Action Requested

**The requested action will authorize acquisition consistent with the staff analysis.**

#### Scope Description

**This project is within scope.** The Legislature has approved funding for the purchase of interests in lands consistent with Proposition 40, without specifying particular parcels. This request will authorize acquisition for the purchase of an approximately 1,298 acre in-holding addition to Anza-Borrego Desert State Park, in the County of Riverside. The Horse Canyon area is of considerable cultural and historical importance, and is an important part of aboriginal territory of several Mountain Cahuilla Clans. The Cahuilla inhabited the area for many generations and the area contains village, food gathering, sacred ancestral sites, and several Mountain Cahuilla clan home sites. The village of Natcuta, the home of the Natcutakiktum Clan was located in the vicinity of Horse Canyon. Acquisition of the Horse Canyon property will eliminate a significant in-holding and management problem in the northwestern corner of Anza-Borrego Desert State Park as well as provide protection for an important wildlife corridor within the region.

#### Funding and Cost Verification

**This project is within cost.** Proposition 40, Chapter 379/02, Item 3790-301-6029(6) provides \$40,000,000 for this acquisition program and there is a sufficient balance remaining in the account to pay the total project costs outlined below. The property interest can be acquired with the funds available and in accordance with Legislative intent.

\$368,500    total estimated project costs

\$2,000    project costs previously allocated: DGS staff costs for appraisal review and staff review

\$366,500    project costs to be allocated: \$364,000 for acquisition and approximately \$2,500 for title and escrow fees

#### CEQA

A Notice of Exemption was filed with the State Clearinghouse on April 1, 2003, and the waiting period expired on May 5, 2003.

#### Project Schedule

**The project schedule is as follows:**

The anticipated close of escrow is June 2004.

### Condition of Property

Department of General Services (DGS), Environmental Services Section (ESS) staff conducted a site visit on March 19, 2003, of the Cuyamaca/Tulloch Ranch. The property consists of approximately 2,100 acres included within the Williamson Act, a tax agreement between the Tulloch family and the County of San Diego to use the land only for agricultural purposes. A Phase I Environmental Site Assessment report prepared by URS on October 4, 2001, was reviewed by ESS and found to be in accordance with American Society for Testing and Materials (ASTM) standards. The recommendations outlined by URS in their Phase I ESA report have since been addressed by Park District Staff, i.e., the wells have been properly abandoned and the abandoned vehicles and other trash have been removed and disposed off-site.

Additionally, ESS staff recommended fencing of the spray effluent field and filling in or limiting access to two deep mine shafts located in the northeast section of the property. The spray effluent field has since been fenced off restricting any public access. Use of the spray field by the Lake Cuyamaca Recreation and Park District will cease when title of the property transfers to the State. In the interim, the two mine shafts have been fenced off to prevent humans and other animals from falling in the holes. Grates will be placed over the shaft openings once it has been determined there will be no impacts to any bats that may be inhabiting the shafts. The placement of the grates will remove the safety hazard without negatively impacting bat habitat.

Anza-Borrego Colorado District Park Staff have addressed all concerns raised in the Phase 1 ESA report and those identified from the ESS site visit. No other recognized environmental concerns have been identified and the acquisition of this property is consistent with the intended use.

### Other:

- The State Public Works Board approved this project for site selection on March 12, 2004.
- The purchase price shall not exceed estimated fair market value as determined by a Department of General Services (DGS) approved appraisal.
- The Department of Parks and Recreation (DPR) is not aware of any lawsuits pending concerning the property. The Property Acquisition Agreement will require delivery of title to the State free and clear of any mortgages or liens.
- The property is vacant and unimproved.
- There is no relocation assistance involved with this project.
- There is no implied dedication applicable to this property.
- Access to the subject property is via the existing Anza-Borrego Desert State Park.
- DPR previously estimated at site selection that this acquisition would result in the need for 2 PYs and ongoing costs of \$253,000 for personal services and operating expenses to provide for public safety, a minimum level of public access, resource protection and maintenance. In addition, DPR further estimated one-time costs of \$103,000 for, baseline studies, fencing, signage, and one-time purchase of equipment.

- After site selection approval, the department has been able to more accurately estimate the support budget implications of this acquisition. While the support costs identified at site selection are desirable, such as signage and baseline studies, they are not necessary. The department has confirmed that no additional resources will be needed to properly manage this property.
- This in-holding acquisition will allow the department to redirect staff that is now spending time and effort on addressing the various management problems attributed to private in-holdings to be redirected to managing the property using existing resources.

**Staff Recommendation: Authorize Acquisition.**



## **ACTION ITEM**

### **ACTION ITEM – 21**

**DEPARTMENT OF GENERAL SERVICES (1760)**  
**DEPARTMENT OF PARKS AND RECREATION (3790)**  
**ANZA-BORREGO DESERT STATE PARK, CUYAMACA (TULLOCH RANCH)**  
**SAN DIEGO COUNTY**  
DPR Parcel Number A41701, DGS Parcel Number 10169

*Authority: Chapter 106/01, Item 3790-301-0005(29)*  
*Chapter 106/01, Item 3790-301-0262(1)*  
*Chapter 379/02, Item 2660-101-0183*  
*Chapter 106/01, Item 2660-101-0890*

#### **a. Authorize acquisition**

**APPROVED.**  
**Vote: 3-0**

## ACTION ITEM

### STAFF ANALYSIS – 21

Department of General Services  
Department of Parks and Recreation  
Anza-Borrego State Park, Cuyamaca (Tulloch Ranch)

#### Action Requested

**The requested action will authorize acquisition consistent with the staff analysis.**

#### Scope Description

**This project is within scope.** The Legislature has approved funding from the California Wildlife Protection Act for the purchase of habitat lands located in, and adjacent to, units of the State Park System. The Legislature has also approved funding from Proposition 12 to acquire unspecified properties and parcels that are a high priority for both the State Park System and for habitat purposes. The Anza-Borrego Desert State Park was specifically called out as a potential site for use of the Proposition 12 funds. This request will authorize acquisition of approximately 2,080 acres adjacent to the Anza-Borrego State Park in San Diego County. This acquisition will provide an important linkage between the Anza-Borrego State Park and the Cuyamaca State Park.

#### Funding and Cost Verification

**This project is within cost.** Funding for this acquisition is provided by Chapter 106/01 of the 2000 Bond Act, Item 3790-301-0005(29) that provides \$35,000,000 for these acquisition programs; the 2001/02 Habitat Conservation Fund, Chapter 106/01, Item 3790-301-0262(1) that provides \$1,000,000; Chapter 379/02, Item 2660-101-0183 that provided an EEMP Grant of \$250,000; and Chapter 106/01, Item 2660-101-0890 that provided a TEA Grant of \$1,000,000. The property can be acquired within the funds available and in accordance with Legislative intent in conjunction with a private donation from Resource Land Group of \$250,000.

\$5,019,500 total estimated project costs

\$1,500 project costs previously allocated: Department of General Services appraisal review and environmental phase I review

\$5,018,000 project costs to be allocated: \$5,000,000 acquisition, and approximately \$18,000 in overhead costs (title and escrow fees).

#### CEQA

A Notice of Exemption was filed with the State Clearinghouse on November 2, 2001, and the waiting period expired on December 8, 2001.

#### Condition of Property

Department of General Services (DGS), Environmental Services Section (ESS) staff conducted a site visit on March 19, 2003, of the Cuyamaca/Tulloch Ranch. The property consists of approximately 2,100 acres included within the Williamson Act, a tax agreement between the Tulloch family and the County of San Diego to use the land only for agricultural purposes. A Phase I Environmental Site Assessment report prepared by URS on October 4, 2001, was reviewed by ESS and found to be in accordance with American Society for Testing and Materials (ASTM) standards. The recommendations outlined by URS in their Phase I ESA report have since been addressed by Park District Staff, i.e., the wells have been properly abandoned and the abandoned vehicles and other trash have been removed and disposed off-site.

Additionally, ESS staff recommended fencing of the spray effluent field and filling in or limiting access to two deep mine shafts located in the northeast section of the property. The spray effluent field has been fenced off restricting any public access. Use of the spray field by the Lake Cuyamaca Recreation and Park District will cease when title of the property transfers to the State. In the interim, the two mine shafts have been fenced off to prevent humans and other animals from falling in the holes. Grates will be placed over the shaft openings once it has been determined there will be no impacts to any bats that may be inhabiting the shafts. The placement of the grates will remove the safety hazard without negatively impacting bat habitat.

Anza-Borrego Colorado District Park Staff have addressed all concerns raised in the Phase 1 ESA report and those identified from the ESS site visit. No other recognized environmental concerns have been identified and the acquisition of this property is consistent with the intended use.

#### Project Schedule

##### **The project schedule is as follows:**

The anticipated close of escrow is June 2004.

#### Other:

- The State Public Works Board site selected this project on May 9, 2003.
- The purchase price shall not exceed estimated fair market value as approved by a DGS approved appraisal.
- The Department of Parks and Recreation (DPR) is not aware of any lawsuits pending concerning the property. The Property Acquisition Agreement will require delivery of title to the State free and clear of any mortgages or liens.
- The property is subject to the Williamson Act ("Act") because the current owner received a tax benefit by agreeing to preserve his property for agricultural purposes. The Director of Conservation was notified of the department's intent to purchase the property on April 3, 2003. Once acquired by the state, this property will no longer be subject to the Act.
- There is no implied dedication on the property.
- The property is fenced and has a small storage cabin that is unoccupied. There will be no relocation assistance involved with this project.
- Currently, the property is improved with a riding and hiking trail that goes through the property. Riders and hikers will be allowed to continue to use this trail, although no vehicle access will be provided. If necessary, DPR would be able to respond for rescues from Cuyamaca Rancho State Park and Anza-Borrego Desert State Park.
- At site selection approval the department estimated this acquisition would result in a need for an additional 6 PYs and \$635,000 in annual support expenditures. DPR asserts that this estimate was based on possible future development and the potential for expanded use of the property. DPR has since clarified that, while expanded public access would be desirable, there is no plan to provide access beyond what is currently available and that the property can and will be managed using existing resources.

- DPR has signed agreements with volunteer groups, including the Pacific Coast Trail Association and the California Riding and Hiking Trail Association, to maintain and operate the various trails that connect the Pacific Coast Trail at no cost to the department.
- The property will be used primarily as a habitat and wildlife linkage between Anza-Borrego Desert State Park and Cuyamaca Rancho State Park.
- The preliminary report used by the appraiser contains reservations for two US Government patents from the early 1900's reciting the grant is subject to mining claims and water rights. The patents provide the US Government the right to develop ditches and reservoirs, as needed, along with ownership of water rights and are determined either by court action or the State Water Resources Control Board. This is memorialized in the patents by citing that said water rights lie with the recognized local customs, and laws and decisions of the courts. At this time, no mining claims or intent to preserve any mining claims are known to exist.

**Staff Recommendation: Authorize acquisition.**

## **ACTION ITEM**

### **ACTION ITEM – 22**

**DEPARTMENT OF GENERAL SERVICES (1760)**  
**DEPARTMENT OF PARKS AND RECREATION (3790)**  
**JEDEDIAH SMITH REDWOODS STATE PARK, (DAVIS PARCEL)**  
**DEL NORTE COUNTY**  
DPR A40601, DGS Parcel Number 10235

*Authority: Chapter 52/00, Item 3790-301-0005(10)*  
*Chapter 157/03, Item 3790-490*

#### **a. Authorize acquisition**

**APPROVED.**  
**Vote: 3-0**

## ACTION ITEM

### STAFF ANALYSIS – 22

Department of General Services  
Department of Parks and Recreation  
Jedediah Smith Redwoods State Park, Davis

#### Action Requested

**The requested action will authorize acquisition for this project.**

#### Scope Description

**This project is within scope.** The Legislature approved funding for the purchase of interests in lands that meet criteria established for a Proposition 12 Acquisition Program. This request will authorize acquisition of an approximately 10-acre parcel of land as an addition to the Jedediah Smith Redwoods State Park.

#### Funding and Cost Verification

**This project is within cost.** Chapter 52/00, Item 3790-301-0005(10) as re-appropriated by Chapter 157/03, Item 3790-490-0005(1) (10) provides \$5,000,000 for this acquisition program and there is a sufficient balance remaining in the account to pay the total project costs outlined below. The property can be acquired with the funds available and in accordance with Legislative intent.

\$150,000      total acquisition costs

\$3,000      project costs previously allocated (Fee appraisal and DGS staff costs)

\$147,000      project costs to be allocated: \$135,000 acquisition and approximately \$12,000 in staff costs

#### CEQA

A Notice of Exemption was filed with the State Clearinghouse on February 28, 2003, and the waiting period expired on April 4, 2003.

#### Project Schedule

**The project schedule is as follows:**

The anticipated close of escrow is June 2004.

#### Condition of Property

Department of General Services (DGS), Environmental Services Section (ESS) staff conducted a follow-up site inspection of the Davis parcel near Crescent City in Del Norte County on May 4, 2004. The proposed acquisition consists of a 10-acre parcel at the edge of the Jedediah State Park. Acquisition of this parcel would provide an opportunity for the future development of trail linkage between the park and nearby coastal zone. This parcel is one of the few locations such a linkage could be provided within the Crescent City/Jedediah State Park area.

The Davis parcel consists of pasture-like open space, coniferous forest, and development associated with a single-family wood-framed house and associated structures. The property contains an access road from Highway 101; it has two groundwater wells and only one provides year-round service. Lands adjacent to the parcel include open space, a similar single-family residence to the southwest, and the western edge of Jedediah State Park.

While the primary purpose of the proposed acquisition is to provide a future opportunity for trail-head development, the Davis parcel will be acquired with the current residence, related outbuildings, driveways, and wells/septic system. This parcel was first inspected by ESS staff in early 2002; and concerns were noted at that initial site visit about (1) debris scattered on the property that could be hazardous or a nuisance; (2) the condition of the two wells, including wiring and piping; (3) the presence of potentially hazardous materials in the structures; and (4) potential contamination around a residential fuel oil tank. Since this first inspection, the current property owner has taken measures to address these concerns. These measures include:

1. Removal/Elimination of Debris and Nuisance Conditions. The debris has been removed; the remaining materials and equipment are all the responsibility of the current family renting the property and do not pose long-term hazards to the State. The nuisance conditions have also been abated.
2. Repair/Renovation of Wells. The upper well was re-piped and re-wired, and brought up to operational standards. The well can only be used seasonally. The lower well has been upgraded and is providing a year-round source of safe drinking water to the residents of the property. This well could serve the future trailhead facility.
3. Hazards in Buildings. It has been determined the residence has a very low potential for containing any hazardous materials such as lead paint and asbestos insulation. If such materials were encountered during routine maintenance and repairs of the residence, it would be acceptable to the Department of Parks and Recreation (DPR) maintenance staff. These materials, if even present, represent an insignificant risk to the State. Hazardous materials such as used barrels and cans of paint have been removed.
4. Fuel Oil Storage. The fuel oil storage tank, which is above ground, has been inspected and determined that no leakage or remarkable spillage has occurred that would warrant remediation. The tank is competent and the underlying soil is unstained. There are no records of spills or subsurface plumes from this source.

As a result of steps taken to address initial ESS staff concerns with the Davis property, it has been determined that a Phase I Preliminary Site Assessment (PSA) is not required for the acquisition of this property. All on-site concerns have been resolved, the parcel is not in an area of localized or regional groundwater/soil contamination, and the adjacent parcels pose no exceptional risk to future State ownership. ESS staff believes a formal PSA would not provide any new information or additional information of value to the State. In regard to the residence, ESS staff recognizes the structure has value as employee housing, which is in very limited supply in the Crescent City area. Since the house has no historic or particular architectural value, it would not be an impediment to the future use of this parcel for trailhead development.

Other:

- The State Public Works Board approved this project for site selection on March 12, 2004.
- The purchase price is fifty percent (50%) of the market value as determined by a DGS approved appraisal. However, as a condition of the below market value price, the seller has required that a use restriction agreement be recorded requiring the state to use the property for state park purposes only, until and unless the property is declared surplus to the state's needs or the State Public Works Board recommends that a transfer to another state agency is necessary for a higher and better public purpose. In either event, the agreement provides that the property can be removed in the future from the terms of the use agreement upon payment of 50% of the market value of the property at that time, excluding the value of any State improvements.

- DPR is not aware of any lawsuits pending concerning the property. The Property Acquisition Agreement will require delivery of title to the property free and clear of any mortgages or liens.
- The property is improved with a single-family residence that is occupied by a DPR employee.
- There is no relocation assistance involved with this project.
- Support implications for this acquisition are negligible. The management of this property will be handled within existing resources.
- The purchase agreement does not include standard indemnification language. While, environmental surveys of this property have not identified any conditions that would likely pose an exceptional risk to the State, the lack of indemnification language could potentially expose the State to additional liability. However, given the historical use of this and the adjacent properties, the risk associated with the lack of indemnification language for this project appears to be relatively low.
- DPR asserts that the lack of indemnification language does not expose the State to additional liability because the State is not responsible for conditions it did not cause.
- Although there is no guarantee that the State would not be held responsible, it should be noted that case law typically finds that the party causing an unacceptable environmental condition or contamination is held liable for any such condition or contamination.

**Staff Recommendation: Authorize acquisition.**



## ACTION ITEM

### ACTION ITEM – 23

DEPARTMENT OF GENERAL SERVICES (1760)  
DEPARTMENT OF PARKS AND RECREATION (3790)  
MONTANA DE ORO STATE PARK, LOS OSOS DUNES AND WETLANDS  
SAN LUIS OBISPO COUNTY  
DPR Parcel Number A46401, DGS Parcel Number 10216

*Authority: Chapter 379/02, Item 3790-301-6029(6)*  
*Chapter 157/03, Item 3760-301-0565(1)*  
*Chapter 121/45, Item 3760-509-0942107(A)*  
*Chapter 379/02, Item 3760-301-0262(1)*  
*Chapter 618/02, Item 3640-501-6031*

#### a. Authorize acquisition

**PULLED.**  
**Vote: 0-0**

## ACTION ITEM

### STAFF ANALYSIS – 23

Department of General Services  
Department of Parks and Recreation  
Montana de Oro State Park, Los Osos Dunes and Wetlands

#### Action Requested

**The requested action will authorize acquisition consistent with the staff analysis.**

#### Scope Description

**This project is within scope.** The Legislature included an appropriation to the Department of Parks and Recreation (DPR) from Proposition 40: California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Fund for new acquisitions for the State Park System without specifying particular parcels. This request will authorize acquisition of an approximately 41.22-acre parcel of land and a nearby 1-acre well site parcel, both contiguous to the Montana de Oro State Park.

#### Funding and Cost Verification

**This project is within cost.** Chapter 379/02, Item 3790-301-6029(6) provides funding for this acquisition in fee simple interest and associated overhead for the real property. The property can be acquired with the remaining funds and in accordance with Legislative intent. Grants from the State Coastal Conservancy (Chapter 157/03, Item 3760-301-0565(1), Chapter 121/45, Item 3760-509-0942107(A) and Chapter 379/02, Item 3760-301-0262(1) and Wildlife Conservation Board (Chapter 618/02, Item 3640-501-6031 less a possible sub-grant from the United States Fish and Wildlife Service) will supplement the approved appropriation from Department of Parks and Recreation (DPR).

\$3,315,000     total project costs

      \$9,500     project costs previously allocated (Phase One Environmental Report and DGS staff costs)

\$3,305,500     project costs to be allocated: \$3,300,000 acquisition and approximately \$5,500 in overhead costs

#### CEQA

A Notice of Exemption was filed with the State Clearinghouse on November 18, 2003, and the waiting period expired on December 23, 2003.

#### Project Schedule

**The project schedule is as follows:**

The anticipated close of escrow is July 2004.

#### Condition of Property

Department of General Services (DGS), Environmental Services Section (ESS) staff conducted a site visit to the Los Osos Dunes and Wetlands property on November 3, 2003. The Department of Parks and Recreation acquisition consists of two parcels of undeveloped coastal land located west of Pecho Valley Road in the Los Osos district of an unincorporated area of San Luis Obispo County, California. The subject property consists of a 41.2-acre parcel (APN 074-022-061) known as the "hotel site" and a nearby 1-acre parcel (APN 074-022-060) known as the "well site." A 20-foot wide easement allows road access and water lines between the two parcels (Coastal Conservancy Staff Recommendation dated October 23, 2003).

During World War II, the immediate area near the "hotel site" was located within the U.S. Army "Baywood Park Training Area" and was used for live-ammunition exercises. During the 1950s and later, several sweeps and clean up exercises were conducted to locate and remove shell fragments and unexploded ordnance (UXO). Additional UXO investigations were conducted from 1994 through 1998, including soil sampling on what is now state park land. After the site visit, ESS staff recommended that a Phase I Environmental Site Assessment be performed based upon the historical use, i.e., military munitions testing area, of the subject property.

A Phase I Environmental Site Assessment (ESA) report prepared by MACTEC Engineering and Consulting, Inc., on May 24, 2004 was reviewed by ESS staff and found to be in accordance with American Society for Testing and Materials (ASTM) standards. No recognized environmental conditions were identified in the ESA report. Additional site observations consist of the following:

- Previous investigations and surveys performed on the Baywood Park Training Area (BPTA) suggest that a majority of the unexploded ordnance (UXO) have been cleared. Given the former uses of the BPTA for military exercises, there is a high likelihood that undiscovered UXOs and/or UXO fragments remain on the subject site parcels. However, the actual quantity of these remnant objects on the site is expected to be minimal. Based on the most recent findings by the U.S. Army Corps of Engineers (USACE), the recommendations for the former BPTA with respect to UXOs was to implement institutional controls and a public education policy for users of the former BPTA. The Department of Toxic Substances Control and the U.S. Army Corps of Engineers has a monitoring program in place regarding the presence of UXOs on the parcels.
- The presence of contaminated soils associated with on-site UXOs is expected to be low and therefore is deemed a "de minimus" condition. If UXOs are encountered on the site in the future, it is recommended that the soils surrounding these objects be closely observed for indications of environmental impairment.
- The shallow ground water beneath the site parcels likely contains elevated nitrate concentrations as a result of the numerous septic systems in the site vicinity. The Regional Water Quality Control Board is involved with local community agencies in addressing this issue. Unless the future use of the site involves excavations that may encounter ground water or the use of the shallow aquifer for irrigation purposes, this issue is not considered to represent an environmental concern to the subject site.

No other potential problems with hazardous materials, e.g., ground and/or vegetation staining was observed during the ESS site visit and the property is compatible with the proposed future use: wildlife habitat preservation and open space.

Other:

- The State Public Works Board site selected this project on April 9, 2004.
- The purchase price will not exceed estimated fair market as determined by a DGS approved appraisal.

- DPR is not aware of any lawsuits pending concerning the property. The Property Acquisition Agreement will require delivery of title to the property free and clear of any mortgages or liens.
- The property is vacant and unimproved.
- There is no relocation assistance involved with this project.
- There is no implied dedication applicable to this property.
- Grants from the State Coastal Conservancy and the Wildlife Conservation Board require that the property can be used for the following purposes: wildlife habitat preservation, restoration and management, wildlife-oriented education and research, compatible public uses, natural resource protection, and open space preservation and public access including the development of the California Coastal Trail.
- Mineral rights have been reserved on the property by prior deeds; however, a review of the records of the Department of Conservation and the California Geological Survey indicate no exploration or extraction of minerals in the area.
- The site selection approval identified a future need of 1 PY and ongoing support costs of \$34,000. DPR asserts that this estimate was based on possible future development and the potential for expanded use of the property. DPR has since clarified that, while expanded public access would be desirable, there is no plan to provide access beyond what is currently available and that the property can and will be managed using existing resources.

**Staff Recommendation: Authorize acquisition.**

## **ACTION ITEM**

### **ACTION ITEM – 24**

**DEPARTMENT OF GENERAL SERVICES (1760)**  
**DEPARTMENT OF PARKS AND RECREATION (3790)**  
**SAN PASQUAL BATTLEFIELD STATE HISTORIC PARK**  
**SAN DIEGO COUNTY**  
DPR A37501, DGS Parcel Number 10152

*Authority: Chapter 106/01, Item 3790-301-0005(27)*

**a. Authorize acquisition**

**APPROVED.**

**Vote: 3-0**

## ACTION ITEM

### STAFF ANALYSIS – 24

Department of General Services  
Department of Parks and Recreation  
San Pasqual Battlefield State Historic Park

#### Action Requested

**The requested action will authorize acquisition consistent with staff analysis.**

#### Scope Description

**This project is within scope.** The Legislature has approved funding for the purchase of interests in lands consistent with the Department's 2000 Bond Opportunity Purchases Acquisition Program, without specifying particular parcels. This request will authorize acquisition of approximately 1.77 acres of land, containing a 12,000 sq. ft. former school building. This acquisition will ensure public control of the historic schoolhouse and will provide a desirable location for curating additional artifacts in the vicinity of the Battlefield State Historic Park.

#### Funding and Cost Verification

**This project is within cost.** Chapter 106/01, Item 3790-301-0005(27) provides \$5,000,000 for this acquisition program. The property interest can be acquired with the funds available and in accordance with Legislative intent described as follows:

817,900 total estimated project costs

1,000 project costs previously allocated: DGS staff costs for appraisal review and preparation of Relocation Assistance Plan

816,900 project costs to be allocated: \$813,000 for acquisition and approximately \$3,900 for title and escrow fees

#### CEQA

A Notice of Exemption was filed with the State Clearinghouse on December 19, 2002, and the waiting period expired on January 23, 2003.

#### Project Schedule

**The project schedule is as follows:**

The anticipated close of escrow is late June 2004.

#### Condition of Property

Department of General Services (DGS), Environmental Services Section (ESS) staff conducted a site visit to the subject property on January 17, 2003. Since that time, there have been no major changes to the property and it was determined by ESS staff that a second site visit was unnecessary. The property consists of approximately 1.77 acres with classrooms previously used by the San Pasqual Union Elementary School. Surrounding properties are agricultural, with the San Pasqual Historic Battlefield's Visitor Center in close proximity. Asbestos in the building is minimal and is contained in the vinyl composite tile in the flooring. This is common for most buildings with vinyl composite tile and as long as it is not removed, there is no asbestos issue. No lead-based paint has been used on the school property.

ESS concluded that a formal Preliminary Site Assessment, Phase I, was not necessary for acquisition based on the following findings:

- (1) previous use of the site was agricultural;
- (2) based on an observation of the site and discussions with the Superintendent of the School District, there was a tank (for fueling buses) on the leased land near the said property but no breach has ever occurred;
- (3) inspections by the San Diego County Department of Environmental Health and San Diego County Stormwater Inspectors have never resulted in violations of environmental breaches;
- (4) visual inspections showed that proper containment of minimal spills of fuel and oil was made and the tank was recently moved to the new school location;
- (5) the water well has also been inspected by the City of San Diego Water Department and the County of San Diego Health Department on a quarterly basis and has shown no violations or contaminants; and,
- (6) the well is over 660 feet deep with a 125 foot sanitary seal, virtually assuring no contaminants could ever reach water depth.

ESS noted no due diligence issues that would prevent the site acquisition.

Other:

- The State Public Works Board approved this project for site selection on March 12, 2004.
- The purchase price shall not exceed estimated fair market value as determined by a DGS approved appraisal.
- DPR is not aware of any lawsuits pending concerning the property. The Property Acquisition Agreement will require delivery of title to the property free and clear of any mortgages or liens.
- The subject property, including approximately 9 acres of surrounding land that was leased by the San Pasqual Union School District (seller) from the City of San Diego, served as a former elementary school since the early 1900's. The site was decommissioned as an active school in September 2001.
- The 12,000 square foot former school structure is currently occupied by the San Diego Archaeological Center (SDAC) and leased on a month-to-month permit basis with the School District. DPR intends to enter into a lease agreement with SDAC upon close of escrow for continued use as an interpretive center and artifacts warehouse.
- There will be no relocation assistance involved with this project.
- In addition to acquiring fee title to 1.77 acres and the 12,000 square foot former school structure, the State will amend its existing long-term lease with the City of San Diego for the San Pasqual Battlefield State Historic Park to add the approximate 9 acres of land surrounding the fee acquisition property.
- The fee acquisition site has no permanent utility infrastructure. Water supply is currently provided from a well located on the approximate 9-acre site that is subject to the lease amendment. Sewer is currently provided by a septic system which is also located within the approximate 9-acre site to be leased. The State intends to continue to use these utilities as currently improved.

- Legal access is from Hwy. 78 (aka San Pasqual Road).
- Review of the Preliminary Title Report revealed the recordation of Covenants, Conditions and Restrictions, restricting the use of the site as a schoolyard. The Title Company is in possession of a quitclaim deed eliminating these restrictions.
- The purchase price of \$813,000 will be allocated and disbursed as follows:
  - ❖ \$321,800 - Will be conveyed to the Department through escrow to address needed repairs and safety issues.
  - ❖ \$48,000 – Will be applied as a one-time payment to the City of San Diego to amend the State's existing long-term lease for the San Pasqual Battlefield State Historic Park by adding approximately 9 acres of land surrounding the subject fee acquisition property.
  - ❖ \$117,000 – Will be disbursed to the County of San Diego to fulfill an obligation between the Grantor and the County of San Diego for termination of a Joint Powers Agreement.
  - ❖ \$326,200 – Will be disbursed to the San Pasqual Union School District.
- At site selection approval the department estimated this acquisition would result in a need for an additional 3 PYs and \$328,000 in annual support expenditures. DPR has since revised this estimate to reflect the operation and maintenance of the facility by a local non-profit.
- DPR anticipates site management and public interpretation to be performed by the San Diego Archeological Center (SDAC) through a lease/operating agreement between DPR and SDAC at the former school site. Said site management and public interpretation will serve as a rental offset from the fair market rental rate. In the event DPR is unsuccessful, DPR will pursue an alternative lessee/operator and, if still unsuccessful it should be noted that there is a potential for increased support costs associated with future maintenance and operation of this property.

**Staff Recommendation: Authorize acquisition.**



## ACTION ITEM

### ACTION ITEM – 25

**DEPARTMENT OF VETERAN AFFAIRS (8960)**  
**YOUNTVILLE VETERANS HOME, NAPA COUNTY**  
Lincoln Theater Renovation

*Authority: Chapter 324/98 Item 8960-301-0001*  
*Chapter 52/00 Item 8960-301-0001*  
*Chapter 52/00 Item 8960-301-0768*  
*Chapter 379/02 Item 8960-301-0001*

**a. Approve augmentation**

**\$1,838,000**  
**(10.5 percent of total project)**  
**(14.1 percent cumulative)**

**APPROVED.**  
**Vote: 3-0**

## ACTION ITEM

### STAFF ANALYSIS – 25

Department of Veteran Affairs  
Lincoln Theater Renovation – Veterans' Home of California, Yountville

#### Action Requested

**This action will provide for augmentation for the construction phase of this project.**

#### Scope Description

**This project is within scope.** The project includes the renovation of approximately 13,150 square feet and the addition of approximately 30,150 square feet to the Lincoln Theater. The project will modernize and upgrade performing areas of the theater including new lighting, acoustical equipment, and an orchestra lift. Audience amenities include the addition of a balcony with elevator, contouring of the theater floor and an enlarged lobby/gallery. The existing building will be seismically strengthened and new heating, ventilation, and air-conditioning will be installed throughout.

#### Funding and Cost Verification

**This project is not within cost.** The project was previously increased within its appropriation by \$631,000 in January 2004 to address cost increases driven by the re-routing of undocumented utilities and the discovery of an underground spring of water within the project footprint. The California Department of Veteran Affairs (CDVA) is requesting an additional \$1,838,000 (10.5 percent total project) augmentation to existing authority to complete the construction.

This request includes \$110,000 General Fund to relocate the chiller and modify duct work and \$65,000 in seismic funds due to delays caused by errors in the location of steel support columns in the original building drawings. The remaining requested augmentation, \$1,663,000, would be provided by the Friends of Lincoln Theater (FLT) for donor requested changes and to restore a reasonable contingency. A 20-day letter was sent to the Legislature on May 17, 2004 and the waiting period has expired without comment.

\$20,018,000 total estimated project costs

\$18,180,000 total project costs previously allocated: preliminary plans \$400,000, working drawings \$503,000, and construction \$17,277,000 (\$14,680,000 contract, \$734,000 contingency, \$935,000 A&E, \$297,000 Other Project Costs, and \$631,000 previous augmentation)

\$1,838,000 requested augmentation

#### CEQA

A Notice of Determination was filed with the State Clearinghouse on January 5, 2000 and the waiting period expired on February 5, 2000.

#### Project Schedule

**The project schedule is as follows:**

Complete Construction: October 2004

## Due Diligence Status

Project under construction. This project did not go through a complete due diligence process as was the practice for General Fund/private funded projects several years ago.

## Other

- The FLT submitted a signed letter of commitment dated May 13, 2004, to raise funds necessary to complete the theater on schedule. In the letter, they acknowledge the potential change order log and associated costs dated May 11, 2004, which serves as the basis for the CDVA's augmentation request. As of June 15, 2004, the FLT have deposited sufficient funds into the Escrow and Trust Account to support all but \$451,000 of the requested augmentation for this project.
- The FLT will meet on June 23, 2004 to determine whether to move forward with a circular drive, currently included in this project as a deductive alternate. The circular drive is estimated to cost \$425,000. DGS will secure a revised estimate from the contractor by the time of the meeting. If the FLT wishes to pursue the circular drive, they must fully fund the cost of that drive before Finance will permit work on the circular drive to begin.
- If the contractor indicates that the cost of the circular drive is greater than \$425,000 and the FLT still wishes to construct the drive, they will need to seek additional authority through a future PWB agenda item.

## **Staff Recommendation: Approve augmentation contingent upon:**

- 1. DGS providing written documentation agreeing to notify DOF immediately if the contingency for this project is expected to fall below \$100,000, and**
- 2. The FLT depositing sufficient funds, into the Escrow and Trust Account, to cover the outstanding contractual obligations and thereby providing all funding necessary to finish this project. .**

## **OTHER BUSINESS**

### **OTHER ITEM – 26**

Extend contract with the Board's financial advisor (Lamont Financial Services Corporation) for 120 days until a new contract can be awarded.

**APPROVED.**

**Vote: 3-0**

### **OTHER ITEM – 27**

Extend contract for legal services with the Department of General Services for one year.

**APPROVED.**

**Vote: 3-0**

### **OTHER ITEM – 28**

Approve a resolution to appoint Ms. Rocel Bettencourt as Assistant Administrative Secretary.

**APPROVED.**

**Vote: 3-0**

### **OTHER ITEM – 29**

Approve a resolution to appoint Ms. Theresa Gunn as Assistant Administrative Secretary.

**APPROVED.**

**Vote: 3-0**

## **REPORTABLES**

To be presented at meeting.

Respectfully Submitted  
by:

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KAREN FINN  
Administrative Secretary